

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DAN L. VACEK,

Plaintiff,

v.

PENNSYLVANIA JUDICIAL CONDUCT
BOARD, et al.,

Defendants.

Civil Action No. 08-221 Erie

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on August 6, 2008, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 111], filed on August 3, 2010, recommended that the motion to dismiss [Doc. No. 86] filed by Defendants Pennsylvania Judicial Conduct Board, Joseph A. Massa, Jr., Esq., Magisterial District Judge Dominick D. DiPaolo, Magisterial District Judge Suzanne C. Mack, and Magisterial District Court First Ward be granted. It was further recommended that the motion to dismiss [Doc. No. 105] filed by the Pennsylvania State Police, Lt. Michael Gillelan, Ashley E. Wheeler, the Pennsylvania Motor Vehicle Department and Janet L. Dolan be granted. The parties were allowed fourteen (14) days from the date of service to file objections. No objections were filed. After de novo review of the complaint and documents in the case, together with the Report and Recommendations, the following order is entered:

AND NOW, this 24th day of August, 2010;

IT IS HEREBY ORDERED that the motion to dismiss [Doc. No. 86] filed by Defendants Pennsylvania Judicial Conduct Board, Joseph A. Massa, Jr., Esq., Magisterial District Judge Dominick D. DiPaolo, Magisterial District Judge Suzanne C. Mack, and Magisterial District Court First Ward is GRANTED.

IT IS FURTHER ORDERED that the motion to dismiss [Doc. No. 105] filed by the

Pennsylvania State Police, Lt. Michael Gillelan, Ashley E. Wheeler, the Pennsylvania Motor Vehicle Department and Janet L. Dolan is GRANTED. The Clerk of Courts is directed to close this case.

The Report and Recommendation [Doc. No. 111] of Magistrate Judge Baxter, filed on August 3, 2010 is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge